

**UNITED STATES OF AMERICA
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

CHAIRMAN:
Judge Wm. Terrell Hodges
United States District Court
Middle District of Florida

MEMBERS:
Judge John F. Keenan
United States District Court
Southern District of New York

Judge D. Lowell Jensen
United States District Court
Northern District of California

Judge J. Frederick Motz
United States District Court
District of Maryland

Judge Robert L. Miller, Jr.
United States District Court
Northern District of Indiana

Judge Kathryn H. Vrtil
United States District Court
District of Kansas

Judge David R. Hansen
United States Court of Appeals
Eighth Circuit

DIRECT REPLY TO:

Michael J. Beck
Clerk of the Panel
One Columbus Circle, NE
Thurgood Marshall Federal
Judiciary Building
Room G-255, North Lobby
Washington, D.C. 20002

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<http://www.jpml.uscourts.gov>

August 17, 2004

Honorable Harvey Bartle III
U.S. District Judge
16614 James A. Byrne U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1714

Re: MDL-1203 -- In re Diet Drugs (Phentermine/Fenfluramine/Dexfenfluramine) Products
Liability Litigation

(See Attached Schedule CTO-127)

Dear Judge Bartle:

For your information, I am enclosing a copy of a conditional transfer order filed today by the Judicial Panel on Multidistrict Litigation in this matter.

Very truly,

Michael J. Beck
Clerk of the Panel

By 
Deputy Clerk

cc: (See Attached List of Judges)

JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

AUG 17 2004

FILED
CLERK'S OFFICE

DOCKET NO. 1203

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

**IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/
DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION**

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-127)

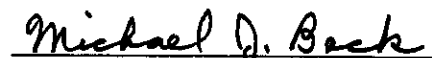
On December 10, 1997, the Panel transferred nine civil actions to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, 6,615 additional actions have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Harvey Bartle III.

It appears that the actions on this conditional transfer order involve questions of fact which are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Bartle.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of December 10, 1997, (1997 WL 774-929), as amended on January 6, 1998, cited at 990 F.Supp. 834 (J.P.M.L. 1998), and, with the consent of that court, assigned to the Honorable Harvey Bartle III.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:


Michael J. Beck
Clerk of the Panel

SCHEDULE CTO-127 - TAG ALONG ACTIONS
DOCKET NO. 1203
IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/DEXFENFLURAMINE)
PRODUCTS LIABILITY LITIGATION

DISTRICT DIV. C.A.#**ALABAMA MIDDLE**

ALM 3 04-377

Lisa Ketcham v. Wyeth, Inc., et al.

ALABAMA NORTHERN

ALN 3 04-1340

Betsy Kalaku v. Wyeth

ALN 3 04-1341

Peggy Jo Fuller v. Wyeth

ARKANSAS EASTERN

ARE 3 04-234

Melba J. Oakes, et al. v. Wyeth, Inc., et al.

ARKANSAS WESTERN

ARW 5 04-5165

Orphea Wyatt, et al. v. Wyeth, Inc., et al.

CALIFORNIA CENTRAL

CAC 2 04-2355

Frank Rodriguez v. American Home Products Corp., et al.

CAC 2 04-2471

Cathy D. Stratton, et al. v. Wyeth, Inc., et al.

CAC 2 04-2472

Alex Martinez, et al. v. Wyeth, Inc., et al.

CAC 2 04-3523

Lucille D. Kress v. Wyeth, et al.

CAC 2 04-3524

Emily Sommerville v. Wyeth, et al.

CAC 2 04-3675

Joseph S. Fisher v. American Home Products Corp., et al.

CAC 2 04-3676

Sally A. Nystrom v. Wyeth, et al.

CAC 2 04-3763

Tracy Hidalgo v. American Home Products Corp., et al.

CAC 2 04-3765

Judith Douglas v. American Home Products Corp., et al.

CAC 2 04-3840

Penny Balogh v. Wyeth, et al.

CAC 2 04-3843

Shirlee A. Edwards v. Wyeth, et al.

CAC 2 04-3890

Cruzita Struck v. Wyeth, et al.

CAC 2 04-3963

Judy Kear v. American Home Products Corp., et al.

CAC 2 04-3966

Kathy J. Wagner v. Wyeth, et al.

CAC 8 04-557

Carol L. Kelley v. American Home Products Corp., et al.

CAC 8 04-600

Sheri Gardner v. Wyeth, et al.

CAC 8 04-619

Jacqueline I. Moran v. Wyeth, et al.

FLORIDA MIDDLE

FLM 3 04-483

John Palumbo, et al. v. Wyeth, et al.

FLM 5 04-241

Amanda Sierra v. Wyeth, et al.

FLM 5 04-280

Peggy Lee Allen, et al. v. Wyeth, et al.

FLM 5 04-281

G. Elailne Anderson, et al. v. Wyeth, et al.

FLM 5 04-282

Emma Mills, et al. v. Wyeth, et al.

FLM 5 04-283

Corliss Hall v. Wyeth, et al.

FLM 5 04-284

Joanne Fortune-Cotton v. Wyeth, et al.

FLM 5 04-285

Vondell Lespi, et al. v. Wyeth, et al.

FLM 5 04-286

Wanda Lauscare v. Wyeth, et al.

FLM 5 04-287

Kimberly Evangelista, et al. v. Wyeth, et al.

FLM 5 04-288

Trudi M. Hart v. Wyeth, et al.

SCHEDULE OF ACTIONS (CTO-127) - DOCKET NO. 1203

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DISTRICT DIV. C.A.#

FLM	8	04-1351	Marcia New v. Wyeth, et al.
FLM	8	04-1352	Pearline Thomas v. Wyeth, et al.
FLM	8	04-1353	Teresa Fowler v. Wyeth, et al.
FLM	8	04-1354	Mary Giraldo v. Wyeth, et al.
FLM	8	04-1366	Judith Naugle v. Wyeth, et al.
FLM	8	04-1367	Amanda Allen, et al. v. Wyeth, et al.
FLM	8	04-1368	Janice Swain v. Wyeth, et al.
FLM	8	04-1369	Loretta Rachlewicz, et al. v. Wyeth, et al.
FLM	8	04-1370	William Nance, et al. v. Wyeth, et al.
FLM	8	04-1371	Holly Montes, et al. v. Wyeth, et al.
FLM	8	04-1372	Cheryl Hernann, et al. v. Wyeth, et al.
FLM	8	04-1373	Tamera Rubio v. Wyeth, et al.
FLM	8	04-1374	Germaine Washington v. Wyeth, et al.
FLM	8	04-1375	Michael Heine, et al. v. Wyeth, et al.
FLM	8	04-1376	Beverly Rayfield v. Wyeth, et al.
FLM	8	04-1377	Alice Kinzer-O'Brien v. Wyeth, et al.
FLM	8	04-1378	Barbara Wise v. Wyeth, et al.
FLM	8	04-1379	Penny Stump v. Wyeth, et al.
FLM	8	04-1380	Teresa Izquierdo v. Wyeth, et al.
FLM	8	04-1381	Priscilla Soben v. Wyeth, et al.
FLM	8	04-1382	Kimberly Carlson v. Wyeth, et al.
FLM	8	04-1383	Catherine Dawson v. Wyeth, et al.
FLM	8	04-1384	Jennifer Tovrea, et al. v. Wyeth, et al.
FLM	8	04-1385	Joann Rogers, et al. v. Wyeth, et al.
FLM	8	04-1386	Paula Eckard, et al. v. Wyeth, et al.
FLM	8	04-1387	Joellen Ferullo, et al. v. Wyeth, et al.
FLM	8	04-1400	Lisa Morrison v. Wyeth, et al.
FLM	8	04-1450	Mary Green v. Wyeth, et al.
FLM	8	04-1451	Lucy Ann Cates, et al. v. Wyeth, et al.
FLM	8	04-1452	Louella Kannaly v. Wyeth, et al.
FLM	8	04-1454	Mary Ingoglia, et al. v. Wyeth, et al.
FLM	8	04-1461	Robin Patascher, et al. v. Wyeth, et al.
FLM	8	04-1462	Lynda Jacoby v. Wyeth, et al.
FLM	8	04-1463	Ernestine Davis, et al. v. Wyeth, et al.
FLM	8	04-1464	Karen Bishop, et al. v. Wyeth, et al.
FLM	8	04-1465	Eileen Dean, et al. v. Wyeth, et al.
FLM	8	04-1466	Cheryl Mullins, et al. v. Wyeth, et al.
FLM	8	04-1467	Donna Nolet, et al. v. Wyeth, et al.
FLM	8	04-1468	Valerie Bruno v. Wyeth, et al.
FLM	8	04-1469	Irene Hagggar, et al. v. Wyeth, et al.
FLM	8	04-1470	Catherine Cyrus v. Wyeth, et al.
FLM	8	04-1472	Jenneverette Wilder v. Wyeth, et al.
FLM	8	04-1473	Cheri Burgess v. Wyeth, et al.
FLM	8	04-1474	Hazel Crawmer, et al. v. Wyeth, et al.
FLM	8	04-1475	Thomas Mulkey, et al. v. Wyeth, et al.
FLM	8	04-1476	Stacey Whitaker, et al. v. Wyeth, et al.
FLM	8	04-1477	Martha McKenzie, et al. v. wyeth, et al.
FLM	8	04-1481	Paul Raffa v. Wyeth, et al.

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DISTRICT DIV. C.A.#

KENTUCKY EASTERN

KYE 6 04-181

Vickie L. Matlock v. Wyeth

KENTUCKY WESTERN

KYW 3 04-396

Katherine Perkins, et al. v. W. Rex Duff, et al.

KYW 5 04-118

Brigitte Garnett, et al. v. American Home Products Corp., et al.

KYW 5 04-119

Randy Lee, et al. v. American Home Products Corp., et al.

LOUISIANA EASTERN

LAE 2 04-2057

Sharon Bergeron v. Wyeth, et al.

LAE 2 04-2058

Carolyn Robertson, et al. v. Wyeth, et al.

LOUISIANA MIDDLE

LAM 3 04-485

Ruth Waguespack v. Wyeth, et al.

LAM 3 04-486

Mary Boutte, et al. v. Wyeth, et al.

LAM 3 04-491

Janet Greene, et al. v. American Home Products Corp., et al.

MASSACHUSETTS

MA 1 04-10911

Mary Andrus, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11034

Mary Walker v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11035

Joseph Perkins, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11036

Janina Jauregui-Ruiz, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11037

Ruth Carver, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11038

Gertrude Anderson, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11039

Theresa Amadeo, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11040

Maryann Laird v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11090

Carolyn Jenkins, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11091

Charles Arrowood, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11092

Michael Black, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11093

Dorothy Ambroz, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11094

Gloria M. Ewing, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11095

Jerry Dacus, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11096

Talisha Armstrong, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11097

Patsy Crouch, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11098

Elizabeth Carr, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11099

Zina Jones, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11104

Marlys Ellingson, etc. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11105

Carmen Bennett, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11106

Dorothy Ausevich, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11138

Scott Suber, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11139

Barbara Symonds, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11140

Lisa Dumond, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11141

Josephine Meidinger, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11142

Luise Badger, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11143

Barbara A. Rhone, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11144

Patricia Clayton, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11145

Julee Hansen, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11146

Linda Wright, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11147

Judy Sosa, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11154

James Hill, et al. v. Indevus Pharmaceuticals, Inc., et al.

MA 1 04-11155

Hattie Spencer, et al. v. Indevus Pharmaceuticals, Inc., et al.

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TNW	2	04-2375	George Abernathy et al. v. Wyeth, Inc., et al.
TNW	2	04-2495	Sandra Armstrong, et al. v. Wyeth, Inc., et al.
TNW	2	04-2496	Kimberly Black-Hall, et al. v. Wyeth, Inc., et al.
TNW	2	04-2497	Yvonne Jacox, et al. v. Wyeth, Inc., et al.

TEXAS EASTERN

TXE	1	04-267	Bobbie L. Hargraves, et al. v. Wyeth
TXE	4	04-192	Patricia Flannery, et al. v. Wyeth
TXE	5	04-114	Doris M. Nickels v. Wyeth, et al.
TXE	5	04-155	Minnie White, et al. v. Wyeth, et al.
TXE	6	04-200	Tami J. Abernathy, et al. v. Wyeth et al.
TXE	6	04-207	Tona Lawhorn, et al. v. Wyeth, et al.
TXE	6	04-208	Regina Grizzle, et al. v. Wyeth, et al.
TXE	6	04-209	Mary S. Clayton, et al. v. Wyeth, et al.
TXE	6	04-210	Glenda K. Coffman, et al. v. Wyeth, et al.
TXE	6	04-224	Thelma I. Ramsey v. Wyeth, et al.
TXE	9	04-85	Brenda York v. Wyeth, et al.

TEXAS NORTHERN

TXN	3	04-901	Jim Robinson v. Wyeth
TXN	4	04-323	Tanji Bailey, et al. v. Wyeth
TXN	5	04-99	Cher A. MacKenzie v. Wyeth

TEXAS SOUTHERN

TXS	2	04-234	Jody L. Keys v. Wyeth
TXS	4	04-1763	Juana B. Kennedy v. Wyeth
TXS	5	04-360	Steven P. Chandler v. Wyeth

**INVOLVED JUDGES FOR SCHEDULE CTO-127
DOCKET NO. 1203
IN RE DIET DRUGS (PHENTERMINE/FENFLURAMINE/DEXFENFLURAMINE)
PRODUCTS LIABILITY LITIGATION**

Hon. William M. Acker, Jr.
Senior U.S. District Judge
481 Hugo L. Black U.S. Courthouse
1729 5th Avenue, North
Birmingham, AL 35203-0065

Hon. Lance M. Africk
U.S. District Judge
B-335 Hale Boggs Federal Bldg.
501 Magazine Street
New Orleans, LA 70130

Hon. James J. Brady
U.S. District Judge
369 Russell B. Long Federal Bldg.
777 Florida Street
Baton Rouge, LA 70801-1712

Hon. Susan C. Bucklew
U.S. District Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3800

Hon. David O. Carter
U.S. District Judge
1053 Ronald Reagan Federal Bldg.
& U.S. Courthouse
411 West Fourth Street
Santa Ana, CA 92701-4516

Hon. Ron Clark
U.S. District Judge
106 Federal Building
211 West Ferguson Street
Tyler, TX 75702

Hon. Timothy J. Corrigan
U.S. District Judge
United States Courthouse
300 N. Hogan Street
Suite 11-350
Jacksonville, FL 32202

Hon. Samuel R. Cummings
U.S. District Judge
C-210 George H. Mahon Federal Bldg.
& U.S. Courthouse
1205 Texas Avenue
Lubbock, TX 79401

Hon. Leonard E. Davis
U.S. District Judge
United States District Court
106 Federal Building
211 West Ferguson Street
Tyler, TX 75702

Hon. Bernice Bouie Donald
U.S. District Judge
341 Clifford Davis Federal Building
167 North Main Street
Memphis, TN 38103

Hon. James C. England
U.S. District Judge
United States Courts
United States Courthouse
222 N. John Q. Hammons Parkway
Springfield, MO 65808

Hon. David Folsom
U.S. District Judge
309 U.S. Courthouse & Post Office
Building
500 N. State Line Avenue
Texarkana, TX 75501

Hon. Mark E. Fuller
Chief Judge, U.S. District Court
A-300 U.S. Courthouse
One Church Street
Montgomery, AL 36104

Hon. John Gleeson
U.S. District Judge
U.S. Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

INVOLVED JUDGES FOR SCHEDULE CTO-127 - MDL-1203

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Hon. Steven D. Merryday
U.S. District Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602-3800

Hon. James S. Moody, Jr.
U.S. District Judge
Sam M. Gibbons U.S. Courthouse
801 North Florida Avenue
Tampa, FL 33602

Hon. K. Michael Moore
U.S. District Judge
1168 James Lawrence King Federal
Justice Bldg.
99 N.E. Fourth Street
Miami, FL 33132

Hon. G. Patrick Murphy
Chief Judge, U.S. District Court
Melvin Price Federal Building & U.S. Courthouse
750 Missouri Avenue
E. St. Louis, IL 62201-2954

Hon. George A. O'Toole, Jr.
U.S. District Judge
4710 U.S. Courthouse
One Courthouse Way
Boston, MA 02210-3002

Hon. John E. Ott
U.S. Magistrate Judge
268 Hugo L. Black U.S. Courthouse
1729 Fifth Avenue North
Birmingham, AL 35203

Hon. Michael J. Reagan
U.S. District Judge
U.S. Courthouse
750 Missouri Avenue
E. St. Louis, IL 62201

Hon. Danny C. Reeves
U.S. District Judge
207 United States Courthouse
300 South Main Street
London, KY 40741

Hon. M. Casey Rodgers
U.S. District Judge
U.S. District Court
One North Palafox Street
Pensacola, FL 32501-5625

Hon. Xavier Rodriguez
U.S. District Judge
United States District Court
John H. Wood, Jr. U.S. Courthouse
655 East Durango Blvd.
San Antonio, TX 78206

Hon. Thomas B. Russell
U.S. District Judge
307 Federal Building
501 Broadway Street
Paducah, KY 42001

Hon. Howard F. Sachs
Senior U.S. District Judge
7462 Charles E. Whittaker U.S. Courthouse
400 E. 9th Street
Kansas City, MO 64106

Hon. Richard A. Schell
U.S. District Judge
United States Courthouse Annex
200 North Travis Street
Sherman, TX 75090

Hon. Patricia A. Seitz
U.S. District Judge
Federal Courthouse Square
301 North Miami Avenue, 5th Floor
Miami, FL 33128

Hon. James V. Selna
U.S. District Judge
1053 Ronald Regan Federal Building
& U.S. Courthouse
411 West Fourth Street
Santa Anna, CA 92701-4516

Hon. Charles R. Simpson, III
Chief Judge, U.S. District Court
247 Gene Snyder U.S. Courthouse
601 West Broadway
Louisville, KY 40202